United Nations A/C.3/63/SR.20

General Assembly
Sixty-third session

Official Records

Distr.: General
19 January 2009
English
Original: French

Third Committee

Summary record of the 20th meeting
Held at Headquarters, New York, on Wednesday, 22 October 2008, at 10 a.m.

Chairperson: Mr. Majoor (Netherlands)
later: Ms. Seanedzu (Ghana)
later: Mr. Majoor (Chairperson) (Netherlands)

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08-59292 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 64: Promotion and protection of human rights (*continued*) (A/63/123, A63/281-S/2008/431 and A/63/370-S/2008/614)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (A/63/161, A/63/223, A/63/259, A/63/263, A/63/270, A/63/271, A/63/272, A/63/274, A/63/275, A/63/278, A/63/286, A/63/287, A/63/288, A/63/289, A/63/290, A/63/292, A/63/293, A/63/293/Corr.1, A/63/299, A/63/313, A/63/318, A/63/337, A/63/340, A/63/365, A/63/367 and A/63/486)

(c) Human rights situations and reports of special rapporteurs and representatives (A/63/322, A/63/326, A/63/332, A/63/341, A/63/356 and A/63/459)

(e) Convention on the Rights of Persons with Disabilities (A/63/264 and A/63/264/Corr.1)

1. **Ms. Pillay** (United Nations High Commissioner for Human Rights), presenting her report (A/63/36), noted that she had taken up her functions in a year which marked the anniversary of various human rights instruments. That was an opportunity for all those involved in human rights to take stock of the progress made and challenges that remained, and to examine the correlation between human rights and the rights to development, peace and security. The principles enshrined in the Universal Declaration of Human Rights should represent a unifying rather than a divisive force among cultures. However, despite the firm commitments made, much remained to be done to ensure the effective realization of human rights, which were sometimes sidestepped in the name of security. Discrimination in all its forms persisted and the promises contained in the Universal Declaration had yet to be fulfilled. Despite their essential contribution to development, peace and security, too many countries still systematically discriminated against women. To face those challenges, she would strive to ensure the effective realization of all human rights on the ground and would endeavour to prevent politicization of human rights by applying the principles of universality, impartiality and non-selectivit

2. Many national and international instruments had been developed to apply the principles laid down in the Universal Declaration of Human Rights. She was particularly pleased to note that the Human Rights Council had adopted the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, which established an individual communications procedure for cases of alleged violations of economic, social and cultural rights. It underscored the equal value of all human rights and the legal remedies that should be applied for their protection. Those national and international standards, and the treaty bodies and special procedures they had given rise to, had created a global system for the promotion and protection of human rights, which must be strengthened. She intended to encourage universal implementation and ratification of the human rights treaties and strengthen the treaty body system. Moreover, she urged States to cooperate with the special procedures mandate holders of the Human Rights Council, as their independence and impartiality made it possible to monitor all human rights-related issues.

3. The launching of the Universal Periodic Review should make it possible to reduce politicization and selectivity, which only exacerbated the global human rights situation. Countries needed to step up their international cooperation within the United Nations system, particularly in the General Assembly and the Human Rights Council, as well as in the Security Council, to promote the evolution of the situation. Her Office was well-placed to help Governments and civil society at the national level to protect and promote human rights. Extending operations in the field and enhancing interaction with United Nations bodies and with other partners were important steps towards the creation of national systems for the protection of victims of human rights violations. She pledged to work constructively with both the Geneva-based human rights bodies and those in New York, and with the entire United Nations system, the Secretary-General in particular.

4. New human rights issues were emerging. Climate change and the food crisis posed a direct threat to the fundamental rights of the most vulnerable groups, who were already marginalized. Measures focused on human rights must therefore be taken in order to remedy that situation by providing immediate help to those groups, guaranteeing them equal access to land and to other means of production, setting up social protection systems, disseminating awareness about

their needs, denouncing abuses and helping victims to obtain reparation. The financial crisis could lead to a global economic crisis with enduring consequences, especially for the poorest groups. The Secretary-General's call to Member States to step up their efforts toward fulfilling the Millennium Development Goals thus was even more important. In the United Nations Millennium Declaration and at the 2005 World Summit, world leaders had stressed the close linkages among development, human rights, peace and security. In that context, the human rights approach that her Office advocated to combat poverty and foster development offered an institutional and normative framework that helped to reduce disparities.

5. Terrorism was another threat to human rights. When adopting measures to combat terrorism, States must bear in mind their obligations under international human rights law. Among actions of her Office to promote the rule of law, it participated in the implementation of the United Nations Global Counter-Terrorism Strategy.

6. Migration was another challenge that would best be addressed from a human rights approach. Relevant policies developed on that issue should draw on human rights instruments, particularly the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. United Nations Member States must ratify that instrument and spare no effort to combat human trafficking.

7. Moreover, the High Commissioner called upon States to participate actively in the Durban Review Conference and urged those who had announced their intentions not to participate, to reconsider. She intended to help States to overcome their differences and find common ground on the issues that would be addressed there. Having grown up in South Africa, and as a judge at the International Criminal Tribunal for Rwanda (ICTR), she was quite familiar with the consequences of racism, ethnic hatred, xenophobia, discrimination, unequal treatment and intolerance. She thus invited States to give new momentum to the struggle against those scourges and to implement the Durban Declaration and Programme of Action at the national level.

8. The pursuit of human rights required individual and collective commitment, which must overcome partisanship and narrowly defined interests. States and civil society must join together to harness their imagination, energy and resolve and put them to use in the service of those rights.

9. **Mr. Ripert** (France) said that it was crucial to preserve the integrity of the High Commissioner's mandate so that she could continue to carry out her work independently. The Office of the High Commissioner should be given the necessary means to implement its strategic management plan in the field and to continue its efforts to establish regional offices. The treaty bodies and special procedures of the Human Rights Council played a crucial role and his delegation welcomed the active participation of the Office of the High Commissioner in the Universal Periodic Review process. Like the High Commissioner, his delegation agreed that it was very important to promote a culture of human rights within the United Nations system. Her Office must continue to help strengthen the capacity of the United Nations Secretariat to provide support to the Security Council and the Peacebuilding Commission in crisis prevention and management. The fight against terrorism must be pursued in compliance with the law. Lastly, with regard to the Durban Review Conference, his delegation wondered whether the High Commissioner could address the need for preserving consensus in order to obtain tangible results.

10. **Mr. Babadoudou** (Benin) agreed with the High Commissioner that human rights should unite rather than divide. He commended her objective and impartial approach to the respect for or violation of human rights which applied to all countries without distinction. In the light of the sixtieth anniversary of the Universal Declaration of Human Rights and as the United Nations Decade for Human Rights Education had just come to an end, he emphasized the need to raise awareness and ownership of human rights by the people.

11. After referring to the procedure of individual communications for cases of alleged violations of economic, social and cultural rights under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, he stressed that human rights were both individual and collective, and wondered whether a community, as a social entity, would also have the right to lodge complaints. Lastly, he would welcome clarification on the human rights approach to development.

12. **Mr. Ramadan** (Lebanon) said that his delegation was much encouraged by what the High Commissioner had said about her intention not to put any ranking on the various human rights but to focus on their implementation on the ground. Noting the importance of the right to food, he asked for further details on how the Office of the High Commissioner intended to prevent a decline in international cooperation for development, in the context of the global financial crisis which would inevitably have tragic consequences for the poorest. He also wished to know how the High Commissioner planned to strike a balance between freedom of expression and advocacy of religious intolerance.

13. **Ms. Stewart** (Canada) stressed the need to press forward with the implementation of the Strategic Management Plan and the Plan of Action of the Office of the High Commissioner, with a view to improving management capacity and expanding field presences. In that connection, she drew attention to the importance of obtaining concrete results on the ground. Her delegation welcomed the strengthened capacity of the Office of the High Commissioner with regard to women's human rights and efforts to tackle impunity, poverty and discrimination. It also recognized its important contribution of the Office as the secretariat of the Human Rights Council, as well as the support it provided to the various United Nations human rights mechanisms, in particular the treaty bodies, the Special Rapporteurs and the universal periodic review.

14. **Ms. Zhang** Dan (China) stressed the importance of dialogue and international cooperation and expressed the view that the Office of the High Commissioner needed to strengthen its communication and its coordination with the Human Rights Council, respect the policy guidance from the Council and increase transparency in its work. In order to fulfil its responsibilities effectively, the Office of the High Commissioner should strictly follow the mandate conferred upon it by the General Assembly and better address the concerns of Member States, in particular those of the developing countries. China appreciated the statement by the High Commissioner that she intended to carry out her functions in a fair, impartial and objective manner, while avoiding politicization of the issue of human rights, and sought greater detail on the measures that were going to be taken to that end.

15. **Ms. Pillay** (United Nations High Commissioner for Human Rights) replying to the question from the representative of France, said that it would be the responsibility of the Member States to reach a consensus at the Durban Review Conference. In her capacity as the Secretary-General of the Conference, she would strive to find compromises and to a promote a victim-focused approach, in order to avoid any politicization of the discussions and to ensure that participants did not become unproductively distracted by controversies, in particular those associated with the 2000 Durban Conference. She would also encourage both Member States and the human rights NGO community to be constructively engaged in the process.

16. In response to the statement by the delegation of Benin, she stressed that the countries taking part in the universal periodic review process had to first build a human rights culture on the ground, and that human rights education was a key element for realizing human rights. In that area, the Office of the High Commissioner played a highly beneficial role, through its field presences, by assigning priority to technical cooperation and education. That could be seen in the efforts that had been made in the context of the United Nations Decade for Human Rights Education, which had just drawn to a close. In that regard, the High Commissioner also recalled General Assembly resolution 62/171 in which the Assembly had proclaimed the International Year of Human Rights Learning.

17. She agreed with the views expressed by the representative of Lebanon on the importance of human rights for the poorest people and observed that the Human Rights Council had held a meeting on the current food crisis on the right to food and had requested the Special Rapporteur on the right to food to give a report on the observance of that right on the ground. Turning to defamation of religions and freedom of expression, she expressed the view that it was necessary to examine the issue from the point of view of international law and international instruments, in particular articles 19 and 20 of the International Covenant on Civil and Political Rights. In reply to the remarks of Canada, the High Commissioner reaffirmed her readiness to put into operation the Strategic Management Plan and the Plan of Action of the Office of the High Commissioner, both drawn up by her predecessor.

18. Responding to the question from the representative of China, the High Commissioner indicated that she would continue to support the work

of the Human Rights Council and the other human rights-related mechanisms. She considered the information drawn from the special procedures to be particularly useful in making it possible for the Council to examine human rights issues in an impartial and facts-based manner.

19. **Ms. Gendi** (Egypt) requested an explanation of the new concept of a rights-based approach to development and the concrete results it could bring. She also wished to be informed about the priorities that the Office of the High Commissioner had set itself with regard to the achievement of all human rights, in particular in the sphere of social, cultural and economic rights, as well as the resources that would be utilized to that end. In addition, she asked the High Commissioner's views on the issue of the geographical distribution of the personnel of the Office. She also expressed concern that the financing of the Office's field presences was primarily spent on personnel and logistics rather than on programmes.

20. **Mr. Wenaweser** (Liechtenstein) said that the impending Durban Review Conference was of the greatest importance and would put to the test the capacity of Member States to come to an understanding on human rights issues. His delegation had noted the enormous gap between international human rights standards and their actual implementation on the ground throughout the world. The delegation also felt that the close relationship between the Office of the High Commissioner and the Human Rights Council, in Geneva, should not be allowed to diminish the influence of the Office on United Nations Headquarters in New York. The delegation of Liechtenstein was of the opinion that the human rights perspective did not play a sufficient role in policymaking at Headquarters and that it was therefore necessary to strengthen the human resources in the Office of the High Commissioner in New York.

21. **Ms. Sapaq** (Chile) underlined the importance of combating discrimination against women and wished to know what portion of the staff working at the Office of the High Commissioner were female. She also asked for details on the role that would be played by civil society organizations and the relationship that the Office would have with them. Since the guidance that the High Commissioner could give concerning articles 19 and 20 of the International Covenant on Civil and Political Rights was of prime importance for the success of the Durban Review Conference, she hoped that the High Commissioner could give concrete examples on that topic. Finally, the Chilean delegation noted with satisfaction the degree of importance that the High Commissioner attached to the issue of migrations.

22. **Mr. Saeed** (Sudan) was pleased that the creation of the Human Rights Council had made it possible to put an end to selectivity and the application of double standards in the human rights sphere. The Sudanese delegation attached equal importance to all rights, including economic and social rights. In that connection, he recalled that in June 2008 the Human Rights Council had adopted the Optional Protocol relating to the International Covenant on Economic, Social and Cultural Rights and wished to know more about the measures that the Office of the High Commissioner intended to take to support and track the implementation thereof. His delegation attached great importance to the universal periodic review and asked to hear the views of the High Commissioner on that topic, in particular concerning the lessons learned from experience so far. Aware that the activities of technical cooperation and capacity-building undertaken on the ground did not always match the priority needs of the countries, he also sought further information on the measures taken by the Office to enhance coordination with the Member States.

23. **Ms. Melon** (Argentina) said that the creation of the Human Rights Council and the strengthening of the Office would undoubtedly consolidate United Nations activity in the sphere of human rights. With regard to the universal periodic review, she wished to know how Member States could improve the presentation of their reports and whether that review should also cover instruments that did not have specific mechanisms for follow-up and for drafting reports, such as the Declaration on Human Rights Defenders.

24. **Ms. Pillay** (United Nations High Commissioner for Human Rights), replying to the question by the representative of Egypt, said that the human rights approach was a methodological tool through which human rights could be more fully taken into account in the development activities of the United Nations, and on that basis, countries could take greater charge of development programmes. It was not a new way of attaching conditions to development assistance. According to the human rights approach, which aimed to show how development cooperation programmes contributed to the realization of human rights, such

human rights principles as participation and non-discrimination must underpin all development cooperation activities. In terms of results, the method was focused on strengthening capacity among both rights-holders and duty-bearers, while taking account of national priorities.

25. It was her intention to step up the measures already undertaken to remedy the imbalance in the geographical distribution of staff in her Office, which, in view of its mission to promote and protect universal human rights, should be a model of cultural and religious diversity, reflecting the various political, economic and legal systems. That question would be considered in detail by the senior staff of the Office when considering Programme 19 (Human rights) of the proposed strategic framework for the period 2010-2011 (A/63/6).

26. In reply to the question put by the representative of Liechtenstein, she acknowledged that because her Office was in Geneva, it did not take part in significant activities organized at Headquarters, such as the high-level meetings convened by the Secretary-General, and that was the reason for requesting new senior posts in the New York office. She also acknowledged that there was a gap between human rights standards and their implementation, and called for cooperation by States in bridging the gap.

27. In reply to the questions put by the representative of Chile, she agreed that there was an imbalance between men and women in the staff of the Office, especially in middle management level posts (P-4 and P-5), but gave assurances that the problem would be tackled seriously.

28. The Office was well aware of the valuable and dynamic contribution made by civil society to the work of human rights promotion mechanisms, and it had established a Civil Society Group.

29. With regard to the seminar on freedom of expression and advocacy of religious hatred, she said that the reports by experts in that field were posted on the website of the Office. A summary record of the seminar, which dealt with articles 19 and 20 of the International Covenant on Civil and Political Rights, was in preparation. She invited proposals from States on how the seminar should be followed up.

30. In reply to the question by the representative of Sudan, she emphasized that the Office of the High Commissioner acted entirely through cooperation with countries, and no projects were undertaken without the approval of the Government concerned. Furthermore, the presence of an office or sub-office of the High Commissioner in a given country should not be taken as necessarily indicating that human rights violations were being committed there, but rather as a token of the willingness of the High Commissioner's Office to help that country to strengthen its capacity for promoting human rights. Many countries understood that and requested such a presence.

31. In her view, although the Human Rights Council had already examined reports submitted by 32 countries under the universal periodic review mechanism, it was still too early to evaluate the process. However, the fact that countries had reported on the difficulties they were encountering and the steps they were taking to overcome them cast fresh light on the ongoing debate in the human rights bodies. She encouraged Member States to follow the recommendations of the special procedures mandate holders, and emphasized that her Office was available to help them in compiling their reports under the universal periodic review.

32. *Ms. Seanedzu (Ghana), Vice-Chairperson, took the Chair.*

33. **Ms. Banks** (New Zealand) asked how the rights of disabled people would be taken into account in the work of the Office, and in what specific ways the special procedures could be improved.

34. **Ms. Phumas** (Thailand) said she would like to know more about the roles and responsibilities of the national and regional offices and sub-offices of the High Commissioner, and the results of the work they did. She asked what the High Commissioner was expecting from the planned commemorative events and high-level meetings, how the Office of the High Commissioner intended to contribute to improving the credibility of the Human Rights Council and the mechanisms in the field for the promotion of human rights, and how it would help in establishing national and regional human rights arrangements.

35. **Mr. Goledzinowski** (Australia) asked what delegations could do to help the regional office of the High Commissioner in Suva to promote and protect human rights in the Pacific, given that many small island States in the region were not represented in Geneva.

36. **Mr. Hagen** (United States) asked what changes could be made to reduce the gap between human rights standards and their implementation in practice.

37. **Ms. Pillay** (United Nations High Commissioner for Human Rights) thanked Australia for its support to the Suva office. Her Office would spare no effort to help the countries in the region to strengthen their capacity for promoting and protecting human rights.

38. In reply to the question put by the representative of New Zealand, she said that elections would shortly be held for the members of the Committee on the Rights of Persons with Disabilities, and that her Office would provide all the necessary support for the new treaty body.

39. She assured the representative of Thailand that her Office would intensify its efforts to improve knowledge of the work of the Human Rights Council, and to assist the mechanisms for promoting human rights in the region.

40. In reply to the question by the representative of the United States, she said that to reduce the gap between the standards which had been adopted and their implementation in practice, it would be necessary, inter alia, for governments to authorize the special procedures mandate holders to go to their countries. For the purpose of evaluating the overall impact of the universal periodic review mechanism, she suggested making use of the skills of independent experts.

41. **Ms. Blum** (Colombia) said that Colombia would be submitting voluntarily to a review under the universal periodic review mechanism and, thanks to the technical support received from the Office of the High Commissioner, was continuing to improve the human rights situation throughout the country.

42. She asked whether the High Commissioner had recommendations for States in relation to the consultations on Programme 19 (Human rights) of the proposed strategic framework for the period 2010-2011 with a view to strengthening cooperation with the Office of the High Commissioner.

43. *Mr. Majoor resumed the Chair.*

44. **Mr. Amil** (Pakistan) asked what measures the Office of the High Commissioner intended to take to counter the advocacy of religious hatred that could constitute incitement to discrimination, hostility and violence. The new democratic Pakistani Government had made a priority of the defence of human rights and in particular the empowerment of women.

45. **Ms. Halabi** (Syrian Arab Republic) recalled that her country had long been asking the international community to address the issue of human rights in an impartial, universal and equitable manner, particularly with regard to the legal protections that the Universal Declaration of Human Rights and the Charter of the United Nations provided for colonized peoples.

46. While welcoming the remarks of the High Commissioner concerning the risk of counter-terrorism measures violating human rights, she regretted that the High Commissioner had not tackled the issue of defence of the rights of populations living under foreign occupation, as they were the victims of the worst violations of their rights, including their right to life. She asked the High Commissioner to outline her action plan for the defence of the rights of those populations, as the Office of the High Commissioner had an office in the occupied Palestinian territories.

47. **Ms. Abdelhak** (Algeria) asked the High Commissioner whether she shared the opinion of Algeria and a few other countries that the Office of the High Commissioner should cooperate closely with the Human Rights Council, or whether she felt that a close relationship would risk compromising the independence of the Office.

48. Welcoming the fact that the High Commissioner attached importance to the issue of migration, she wondered what action the High Commissioner intended to take to promote ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which had so far been ratified by only 37 States, all developing countries, and by none of the destination countries, which were responsible for protecting migrants.

49. Lastly, she congratulated the High Commissioner for her willingness to promote broad participation in the Durban Review Conference, which was a demonstration of the international community's unified commitment to the struggle against racism and would produce a meaningful dialogue.

50. **Mr. Vigny** (Switzerland) recalled that his country, which supported the strengthening of all international and national mechanisms to protect human rights and supported the action of the High

Commissioner, had submitted a resolution on human rights and transitional justice (A/HRC/9/L.22) to the previous session of the Human Rights Council and it had been adopted by consensus. His delegation was pleased to state that the resolution requested the Office of the High Commissioner to submit an analytical study on that subject, including the human rights components of peace missions.

51. **Mr. Rastam** (Malaysia) emphasized the inalienable right of each State to choose its own political, economic, social and cultural systems. He asked the High Commissioner to clarify the purpose of country reports, as they tended to be politicized and divisive, and the universal periodic review mechanism of the Human Rights Council was already operational.

52. Furthermore, he asked the High Commissioner how she intended to reconcile the positions of countries on the very important issue of the right to development and other rights deriving from it. He also asked how she planned to work with regional organizations and how those organizations and the regional human rights mechanisms could facilitate the implementation of existing international treaties.

53. **Ms. Cross** (United Kingdom) said that her country attached great importance to the role of the Office of the High Commissioner as a politically independent body in the service of human rights at the global level, as well as its action to support the treaty bodies, which had recently been expanded by the adoption of new instruments such as the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. She looked forward to seeing the reform of the Office of the High Commissioner and in particular the strengthening of its field activities to help States to implement their human rights commitments. She asked the High Commissioner to clarify how she intended to promote the mainstreaming of human rights in United Nations activities and how States could help her in that task.

54. **Mr. Emadi** (Islamic Republic of Iran) expressed the support of his country for the Durban Review Conference and welcomed the High Commissioner's call for commemoration of the sixtieth anniversary of the proclamation of the Universal Declaration of Human Rights. He announced that Iran would make a voluntary contribution for the organization of the seminar on human rights and cultural diversity that would soon be held in Geneva.

55. **Mr. Amorós Núñez** (Cuba) said he was pleased that the High Commissioner was planning to improve the geographical distribution of the Office staff, as more than 70 per cent of the current staff members were from developed countries, a figure that did not at all reflect the current balance of the Organization. As for the Office's field presence and the High Commissioner's expressed intention to follow the outlines of the strategic plan presented by her predecessor, he was concerned that most cooperation activities were targeted solely at developing countries, perhaps implying that the developed countries had no need to improve their national capacities in the field of human rights. In view of the High Commissioner's emphasis on the importance of the receiving countries' consent and her desire to avoid stigmatizing any country in that regard, he asked how she hoped to change the current situation.

56. **Mr. Chumarev** (Russian Federation) wondered how the Office of the High Commissioner, with its present resources and under the strategic plan being considered for 2010-2011, would be able to deal with the impact of the current financial and food crisis on the realization of human rights. He also asked how the Office would take advantage of the dialogue among cultures and major religions in order to promote a culture of human rights, for it seemed that important religious elements lay behind certain values, such as respect for the individual or greater protection of all human rights, including collective rights.

57. **Ms. Pillay** (High Commissioner for Human Rights), responding to the questions from the Russian Federation and Malaysia, said that the Office would have to make do with current resources; it would, however, continue to call for voluntary contributions from Member States to deal with critical issues. The Office could be useful only if it took the lead and acted in collaboration with countries, international organizations and civil society in order to tackle world problems such as climate change and rising food prices within a human rights-based context. The Human Rights Council had asked her Office to prepare a study on human rights and climate change, and the Office had recently held consultations on the relationships between human rights and development financing. The regional offices were also monitoring the impact of the crises in the field, especially in the most vulnerable

areas. In addition, the Office had a research unit and relied on experts and mandate holders to advise it on how best to move forward.

58. On the question of how the use of dialogue could promote a culture of human rights, she gave the example of an expert seminar on freedom of speech and incitement to racial or religious hatred, explaining that her Office would continue calling for dialogue, establishing expert groups and supporting the work of the Human Rights Council.

59. In response to the question from the Syrian Arab Republic concerning the protection of vulnerable populations under colonization or foreign occupation, she said that her Office adhered to the strict, universal application of international human rights law, international humanitarian law, refugee law and criminal law, without double standards.

60. As for Algeria's question, she said she would continue to call on States to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and abide by the provisions of international and human rights law concerning migrant workers.

61. With regard to the question raised by Malaysia on the right to development and the right to food, she said she hoped that the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights would soon be adopted, and she looked forward to the continued work on the interpretation of international standards by the Committee on Economic, Social and Cultural Rights and the Special Rapporteur on the right to food.

62. In response to the question from the United Kingdom, she recalled that the 2005 World Summit Outcome had called for the mainstreaming of human rights throughout the United Nations system (General Assembly resolution 60/1). As the promotion of closer cooperation between her Office and all competent United Nations bodies was an important aspect of her work, she looked to Member States for support in establishing a post of Assistant Secretary-General in New York to pursue mainstreaming objectives.

63. As for the question asked by the representative of Cuba, she noted that the proportion of staff members from Western Europe had already decreased; statistics bearing out that trend would be made available shortly. She also explained that, in her capacity as High Commissioner, she would carry out country visits throughout the world, as had her predecessor, and would issue statements on human rights situations in both developed and developing countries.

64. **Mr. Gambari** (Special Adviser for Myanmar), introducing the report of the Secretary-General on the situation of human rights in Myanmar (A/63/356), referred to the five key issues of concern to the United Nations and the international community and the four guiding principles for the implementation of the Secretary-General's good offices mandate in the country. The unprecedented level of cooperation that had been established between Myanmar, the United Nations, the Association of Southeast Asian Nations (ASEAN) and other partners in the aftermath of cyclone Nargis, which had ravaged the country, showed that priority should be given to cooperation rather than isolation.

65. While the spirit of cooperation between Myanmar and the United Nations had been marked by improvement in recent months, the authorities had not yet taken meaningful steps in response to the concerns and expectations of the United Nations and the international community. Ultimately, the future of the country was in the hands of the Government and people of Myanmar. The Government should start taking substantive action, in particular with regard to the release of political prisoners and meaningful dialogue with all relevant stakeholders.

66. Only a credible and inclusive political process based on mutual understanding and compromise by all stakeholders could help to advance the prospects of durable peace, national reconciliation and respect for human rights in Myanmar.

67. **Mr. U Thaung Tun** (Myanmar) expressed disappointment that the report of the Secretary-General (A/63/356) cast doubt on the credibility of the constitutional referendum, the holding of which had demonstrated that his Government was firmly attached to implementation of the road map in seven stages that it had established. His Government had done everything in its power to guarantee the legality of the referendum, even inviting foreign diplomats to observe the polling. The referendum had not in any way impeded the delivery of assistance to the victims of cyclone Nargis as it had been postponed in the 47 townships most affected.

68. It was sad that some Governments had attempted to mix the humanitarian crisis with politics by attaching conditions to their offers of assistance. The fact was that the Government and people of Myanmar had responded expeditiously to the national emergency, providing shelter to the victims, spending over 87 billion kyats on rescue and rehabilitation operations, requesting emergency assistance from the United Nations and distributing international aid to the victims.

69. Recalling that cooperation with the United Nations was a cornerstone of his country's foreign policy, he said that the Secretary-General, after his visit to the country, had commended the courage and resilience of the population and had explained that the relief programme set up by the Government was functioning. Similarly, the tripartite core group responsible for assessment of the post-cyclone relief operations had also emphasized the prompt and systematic response of the Government and people of Myanmar to the disaster.

70. **Mr. Natalegawa** (Indonesia), emphasizing the complexity of the situation in Myanmar, recognized that the cooperation between the United Nations and the Government of Myanmar had improved and invited the authorities of the country to produce tangible results in the five areas of concern mentioned in the report of the Secretary-General. He emphasized that the international community must express itself in a single voice so that shared objectives could be achieved.

71. **Mr. Wenaweser** (Liechtenstein) asked for clarification of the date, the objective and the modalities of the Secretary-General's next visit to Myanmar.

72. **Mr. Pramudwinai** (Thailand), endorsing the statement made by the representative of Indonesia, said that his country, which currently chaired ASEAN, would continue to support the action taken by the Secretary-General in the context of his good offices mandate.

73. **Mr. Gambari** (Special Adviser for Myanmar) recalled that 15 years previously, in his capacity as representative of Nigeria, he had addressed the Committee on the issue of democracy and human rights. Believing that his experience of the democratization of his country, which had been a respected member of the international community since 1999, could be useful, he offered to share it with the Government of Myanmar and with the opposition. Responding to a question from the representative of Liechtenstein, he said that the Secretary-General would go to Myanmar in due course, if the conditions were such as to allow progress to be made on questions of concern to the international community.

The meeting rose at 1 p.m.